

### REMARKS

Claims 1-27, 38-40, 42-52, 55, 56 and 58 are pending in this application, of which Claims 1, 14-18, 38, 55 and 58 are in independent form. Claims 38, 55 and 58 have been amended to incorporate the recitations of Claim 41, and Claims 41 and 57 have been canceled, without prejudice or disclaimer of subject matter. In addition, Claims 42 and 56 have been amended as to dependency, and Claims 28-37, 53 and 54 have been canceled without prejudice or disclaimer of subject matter.

The title has been amended to make it more descriptive, and a substitute specification, in which no new matter has been added, is submitted herewith to address the objections made to the specification and to the drawing (apart from the misspelling in Fig. 28). A replacement sheet of drawing, bearing Fig. 28, is submitted herewith to address the informality in that Figure.

Of the claims now presented for examination, Claims 1, 9, 10 and 14-17 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Application Publication 2001/0013894 (Parulski); Claims 2-8, 12, 13, 38-52, 55, 56 and 58 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Parulski* in view of U.S. Patent 6,552,743 (Rissman); and Claims 11, 25 and 27 were rejected as being unpatentable over *Parulski* and *Rissman*, in view of U.S. Patent 6,273,535 (Inoue).

The aspect of the present invention set out in Claim 1, is an image processing system in which first and second image processing apparatuses are connected via a serial bus. In the system of Claim 1, the first image processing apparatus comprises control means for controlling distribution of image processing between the two apparatuses

on the basis of performance of the first image processing apparatus and performance of the second image processing apparatus. By doing this, it is possible to maintain the operation balance between the two apparatuses.

On the other hand, according to paragraph 25 and 26 of *Parulski*, which the Examiner specifically points out in the Office Action, processing is performed in a digital camera so as to transmit a processed image to the printer, the processing including all or some of image sensor tone scale compensation, color filter array interpolation, decompression, color space transformation, resizing and so on. Nothing has been found, or pointed out in *Parulski*, however, that would teach or suggest controlling distribution of image processing between the two apparatuses on the basis of performance of the first image processing apparatus and performance of the second image processing apparatus.

That is, one of merely ordinary skill would never be led by *Parulski* to consider distributing operations of the printer to the digital camera, and operations of the digital camera to the printer. Rather, the camera in *Parulski* obtains from the printer parameters stored there during the manufacture of the printer, and determines based on that whether certain functions are to be performed by the printer or by the camera. Nothing is seen in that document, however, which would teach or suggest any arrangement in which any determination is made as to an apparatus's performance at a given time, much less in which processing is distributed as a result of such determination. That is, it appears that for a given camera and given printer, the camera in *Parulski* will always make the same determination as to where the functions in question are to be performed, and thus the *Parulski* camera does not appear to take into account the actual performance of the printer,

but only the permanent capabilities of the printer. It is noted that *Parulski* refers in paragraph 25 to “variable parameters”, but this appears to refer to values set at the time of manufacturing, and not ones that might vary during use. Accordingly, even assuming *Parulski* is available as prior art against the present application (which Applicant does not, however, concede), Claim 1 is believed to be clearly allowable over that document.

Moreover, nothing has been found in *Rissman* that would supply what is missing from *Parulski* as prior art against Claim 1, and thus, that claim is deemed allowable over both documents, separately or in combination (and assuming, again, that the proposed combination would be a permissible one).

Independent Claims 14-18 each recite the feature discussed above with regard to Claim 1, and are therefore also allowable over *Parulski* and *Rissman* for at least the reasons discussed above with regard to Claim 1.

Independent Claim 38 is directed to an image processing system, in which a determination means in the image input apparatus (such as a digital camera) determines whether to convert a format of image data, on the basis of an empty state of the buffer in an image output apparatus (such as a printer). That is, the image input apparatus monitors the buffer state of the image output apparatus.

The Office Action asserts that the combination of *Parulski* and *Rissman* makes obvious that the conversion of the file format would be made based on the buffer state of the output apparatus, because *Parulski* discloses that if the buffer is full, the output apparatus is processing data and cannot store received data and *Rissman* discloses that it is empty then output apparatus is available to perform the image processing and store data.

Applicant respectfully disagrees. Even assuming that these documents teach all that they are cited for, the proposed combination would not meet the terms of Claim 38, particularly, the conversion of a format of image data. That is, there are several options such as waiting, slowing down the speed of processing and so on if the buffer of the output apparatus is full. Even assuming one of ordinary skill would be motivated to combine *Parulski* and *Rissman*, there is nothing in those documents to lead one to perform conversion of image data format based on the buffer state.

For at least that reason, Claim 38 is believed to be clearly allowable over *Parulski* and *Rissman*.

Independent Claims 55 and 58 each recite the feature discussed above with regard to Claim 38, and are therefore also allowable over *Parulski* and *Rissman* for at least the reasons discussed above with regard to Claim 38.

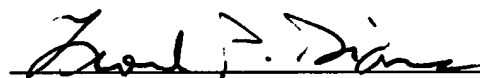
A review of the other art of record has failed to reveal anything which, in Applicant's opinion, would remedy the deficiencies of the art discussed above, as references against the independent claims herein. Those claims are therefore believed patentable over the art of record.

The other claims in this application are each dependent from one or another of the independent claims discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, and since the remaining claims are all allowable, Applicants respectfully request early passage to issuance of the present application.

Applicant's undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Leonard P. Diana", is written over a horizontal line.

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